

ATTORNEY DOCKET NO.  
067439.0119

3628  
SERIAL NO. 41  
09/865,470

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frederick L. Ross  
U.S. Patent Serial No.: 09/865,470  
Filing Date: May 24, 2001  
Examiner: Maria T. Thein  
Group No.: 3625  
Confirmation No.: 2938  
Title:

**RECEIVED**

SEP 03 2004

**GROUP 3600**

**LOCAL RETURNS OF REMOTELY  
PURCHASED MERCHANDISE WITH RETURN  
CODE VALIDATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

*Eileen Barner*  
Signature

Date: 8-26-04

**REQUEST FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT TIMELY FILED**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Maria T. Thein, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statements filed November 12, 2003 and June 25, 2004 have been considered.


On November 12, 2003 and June 25, 2004 Applicant filed Information Disclosure Statements (IDS) with PTO-1449 form (three (3) pages each) attached, listing the references submitted for consideration. Copies of the cited references were also included. The Information Disclosure Statements were received at the U.S. Patent and Trademark Office on DAL01:814194.1

November 12, 2003 and June 25, 2004 as shown on the returned, date-stamped postcards, copies of which are attached. For the convenience of the Examiner, copies of the Information Disclosure Statements and the cited references filed November 12, 2003 and June 25, 2004 are enclosed.

An Office Action for this application was mailed on August 5, 2004. However, Examiner Maria T. Thein has not returned copies of the PTO-1449 forms indicating consideration of the references cited in the Information Disclosure Statements filed November 12, 2003 and June 25, 2004.

Accordingly, **Applicant hereby requests confirmations of consideration of the previously filed Information Disclosure Statements.** Examiner Maria T. Thein is requested to initial the references listed on the PTO-1449 forms to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicant



Kevin J. Meek  
Reg. No. 33,738

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6680

Enclosures: Copies of IDS(s) filed November 12, 2003 and June 25, 2004  
with Form PTO-1449 and copies of the cited references;  
Copy of acknowledgment post cards showing  
date stamps of November 12, 2003 and June 25, 2004.

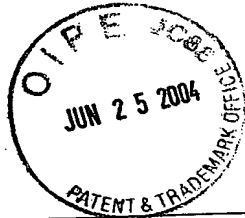


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The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

Application - Spec., Claims, Abstract (___ Page(s))		<input type="checkbox"/> Verified Statement (___ Page(s))
<input type="checkbox"/> CIP	<input type="checkbox"/> Conv. Prov.	<input type="checkbox"/> ___ Mo. Extension of Time (___ Page(s))
<input type="checkbox"/> Cont.	<input type="checkbox"/> Provisional	<input type="checkbox"/> Amendment/Response (___ Page(s))
<input type="checkbox"/> Informal/Formal Drawing(s) (___ Page(s))		<input type="checkbox"/> Issue Fee Transmittal (___ Page(s))
Declaration(s)/Power(s) of Attorney (___ Page(s))		<input type="checkbox"/> Check No. ___ Amt.: \$
<input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted		<input type="checkbox"/> Check No. ___ Amt.: \$
<input type="checkbox"/> Assignment w/ or w/o Cover Sheet (___ Page(s))		<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> IDS and PTO-1449 ( <u>3</u> Page(s))		
<input checked="" type="checkbox"/> w/Ref		
<input type="checkbox"/> Non-Publication Request (___ Page(s))		
Inventor(s): <b>Frederick L. Ross</b>	Serial No.: <b>09/865,470</b>	Receipt Date & Serial No.: 
Title: <b>Local Returns of Remotely Purchased Merchandise with Return Code Validation</b>		
Client/Applicant: <b>Newgistics, Inc.</b>	BB File No.: <b>067439.0119</b>	
Mailed: <b>6/29/04</b>		
Due: <b>07/01/04</b>		Certificate of Mailing
Atty./Secy.: <b>adl</b>		<input checked="" type="checkbox"/> Express Mail Rcpt. No.: <b>EV352389765US</b>
		<input type="checkbox"/> First Class Mail
		<input type="checkbox"/> Hand Delivered



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frederick L. Ross  
Application Serial No.: 09/865,470  
Date Filed: May 24, 2001  
Group Art Unit: 3625  
Examiner: Geoffrey R. Akers

Title: *Local Returns of Remotely Purchased Merchandise  
with Return Code Validation*

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**GROUP 3600**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail No. EV352389765US addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Jay Howard*

Jay Howard

6/25/04

Date

Dear Sir:


**INFORMATION DISCLOSURE STATEMENT**

Applicant respectfully requests, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. Copies of the references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. §§1.97.(g) and (h), no representation is made that these references are material to the patentability of the present application.

Applicant believes that no fee is due at this time, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 50-2148 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicant

  
Brian A. Dietzel  
Reg. No. 44,656

Date: 06.23.2004

Correspondence Address:

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512.322.2674  
512.322.8307 (Fax)

PTO-1449

**Information Disclosure Citation  
in an Application**

Application No.

09/865,470

Applicant(s)

Fredrick L. Ross

Docket Number

067439.0119

Group Art Unit

3625

Filing Date

May 24, 2001

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	2002/0010634	1/24/02	Roman et al.	705	26	12/8/00
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						
	L						
	M						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	N							
	O							
	P							
	Q							

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	R		
	S		
	T		
	U		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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**GROUP 3600**